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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/759,364	01/16/2004	Keiichi Iwamura	CFA00042US	9938

34904 7590 06/26/2007	EXAMINER	o
CANON U.S.A. INC. INTELLECTUAL PROPERTY DIVISION	WYSZYNSKI, AUBREY H	
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IRVINE, CA 92618-3731		

ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/759,364	IWAMURA ET AL.
	Examiner	Art Unit
	Aubrey H. Wyszynski	2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *16 January 2004*.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1,3,5-8,10 and 20-37* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1, 3, 5-8, 10 and 20-37* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on *16 January 2004* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

        1. ☒ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____.

        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)	4) ☐ Interview Summary (PTO-413)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____.
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *3/23/06, 2/10/06, 7/15/06.*	5) ☐ Notice of Informal Patent Application
	6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1, 3, 5-8, 10 and 20-37 are pending.

Claim Rejections - 35 USC § 101

1.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2.   Claim 36 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

3.   Claim 36 is directed towards computer executable process steps but is not stored on a computer readable medium and therefore constitutes non-statutory subject matter.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5.   Claims 1, 3, 5-8, 10 and 20-37 are rejected under 35 U.S.C. 102(e) as being anticipated by Matsunoshita, U.S. Patent Application Publication No. 2003/0179412.

Regarding claim 1, Matsunoshita discloses an image processor/image formation system
(fig. 1, #1) for generating and outputting a combined image/composite image (fig. 4,
#S134) including a latent image (fig. 4, #S114) unperceivable by the human eye and a
patterned image in the background (fig. 4, #S130) allowing the latent image to appear
clearly on a recording medium when data recorded on a recording medium is copied
onto another recording medium, the image processor comprising: digital watermark
embedding means for embedding digital watermark data in text and/or image data
combined with the patterned image to produce the combined image (¶[0051]).

Regarding claim 3, Matsunoshita discloses an image processor comprising: inputting
means/input device (fig. 1, #2) for inputting and reading a combined image including a
latent image unperceivable by the human eye (fig. 3, #512), a patterned image in the
background (fig. 3, #518) allowing the latent image to appear clearly on a recording
medium when data recorded on a recording medium is copied onto another recording
medium , and text and/or image data embedded with a digital watermark (¶[0053]);
extracting means for extracting the text and/or image data from the combined image
and extracting the digital watermark from the extracted text and/or image data (fig. 3,
#510); inputting means for inputting a permission code for copying image data
composed of a combination of patterned image and the extracted text and/or image
data onto a recording medium; and copy regulation means for regulating the copying
based on the extracted digital watermark and the permission code/Condition information
and Copy inhibition information (fig. 5, fig. 2, #22 & 24, and ¶[0066]).

Regarding claims 5-7, Matsunoshita discloses an image processor according to claim 3,

wherein the copying regulation means regulates/stops the copying of the combined

image onto a recording medium when the extracted digital watermark indicates that

copying of the combined image is permitted (¶[0055]-[0057] and fig 8, #S210).

Regarding claim 8, Matsunoshita discloses a method for image processing for

generating and outputting a combined image that includes a latent image unperceivable

by the human eye and a patterned image in the background allowing the latent image to

appear clearly on a recording medium when data recorded on a recording medium is

copied onto another recording medium, the method comprising: a step of embedding a

digital watermark into text and/or image combined with the patterned image (fig. 3,

#518); wherein combining the digitally watermarked text and/or image data and the

patterned image produces the combined image (fig. 3, #522 & fig 2, #90).

Regarding claim 10, Matsunoshita discloses a method for image processing comprising:

an inputting step (fig. 1, #2) for inputting and reading a combined image including a

latent image unperceivable by the human eye (fig. 3, #512), a patterned image in the

background (fig. 3, #518) allowing the latent image to appear clearly on a recording

medium when data recorded on a recording medium is copied onto another recording

medium , and text and/or image data embedded with a digital watermark (¶[0053]);

extracting means for extracting the text and/or image data from the combined image

and extracting the digital watermark from the extracted text and/or image data (fig. 3,

#510); inputting means for inputting a permission code for copying image data

composed of a combination of patterned image and the extracted text and/or image

data onto a recording medium; and copy regulation means for regulating the copying

based on the extracted digital watermark and the permission code/Condition information

and Copy inhibition information (fig. 5, fig. 2, #22 & 24, and ¶[0066]).

Regarding claim 20, Matsunoshita discloses an image processor comprising:

digital watermark embedding means for embedding digital watermark data in text and/or

image data (¶[0050]-[0051]); and

combining means for combining the text and/or image data in which the digital

watermark data is embedded by the digital watermark embedding means and patterned

image data (fig. 3, #522).

Regarding claim 21, Matsunoshita discloses an image processor according to claim 20,

wherein the digital watermark embedding means embeds the digital watermark data in

the text by controlling the character spacing in the text/spatial intervals (¶[0027]).

Regarding claim 22, Matsunoshita discloses an image processor according to claim 20,

wherein the digital watermark embedding means embeds the digital watermark data in

the text by rotating characters in the text (¶[0052]).

Regarding claim 23, Matsunoshita discloses an image processor according to claim 20

further comprising: receiving means for receiving a permission code to permit copying

combined data combined by the combining means;

wherein the digital watermark data is data/condition code, regarding the permission

code to permit copying the combined data received by the receiving means (fig. 8).

Regarding claim 24, Matsunoshita discloses an image processor comprising:

inputting means/input device (fig. 1, #2) for reading combined data including text and/or

image data in which a digital watermark is embedded and patterned image data/pattern

image storing (fig. 3, #516);

separating means/image reading part (fig. 3, #10) for separating the combined data

inputted by the inputting means into the text and/or image data and the patterned image

data/image composing part (fig. 3, #522);

extracting means/add information extracting part (fig. 3, #510) for extracting the digital

watermark from the text and/or image data obtained as a result of the separating means

separating the combined data ; and

control means/control part (fig. 3, #32) for controlling output of the text and/or image

data obtained as a result of the separating means separating the combined data

according to the digital watermark extracted by the extracting means ([0060]-[0062]).

Regarding claim 25, Matsunoshita discloses an image processor according to claim 24,

wherein the control means controls the output of the text and/or image data obtained as

a result of the separating means separating the combined data according to permission

determination information inputted by a user and the digital watermark extracted by the

extracting means (¶[0057]-[0059]).

Regarding claim 26, Matsunoshita discloses an image processor according to claim 25,

wherein the digital watermark includes a permission code/copy inhibition information

detecting part/condition information detecting part (fig.2, #22, #24) to control the output

of the text and/or image data obtained as a result of the separating means separating

the combined data; and wherein the control means controls the output of the text and/or

image data obtained as a result of the separating means separating the combined data

according to whether the permission code and the permission determination information

match each other (¶[0057]).

Regarding claim 27, Matsunoshita discloses an image processor according to claim 24,

the control means further comprising: determining means/latent image generating part

(fig. 3, #512) for determining whether to output the text and/or image data obtained as a

result of the separating means separating the combined data according to the digital

watermark extracted by the extracting means; and second control means for controlling

the output of the combined data including the patterned image data and the text and/or

image data obtained as a result of the separating means separating the combined data

in the case the determining means determines to output the text and/or image data

obtained as a result of the separating means separating the combined data (¶[0067]).

Regarding claim 28 and 36-37, Matsunoshita discloses an image processing method

comprising:

a digital watermark embedding step for embedding digital watermark data in text and/or

image data (¶[0051]).; and a combining step for combining the text and/or image data in

which the digital watermark is embedded by the digital watermark embedding step and

patterned image data (fig. 3, #516-522).

Regarding claim 29, Matsunoshita discloses an image processing method according to

claim 28, wherein the digital watermark embedding step embeds the digital watermark

data in the text by controlling the character spacing in the text/spatial intervals (¶[0027]).

Regarding claim 30, Matsunoshita discloses an image processing method according to

claim 28, wherein the digital watermark embedding step embeds the digital watermark

data in the text by rotating characters in the text (¶[0052]).

Regarding claim 31, Matsunoshita discloses an image processing method according to

claim 28 further comprising: a receiving step for receiving a permission code to permit

copying combined data combined in the combining step (fig. 3, #514);

wherein the digital watermark data is data regarding the permission code to permit

copying the combined data received by the receiving step (¶[0112]).

Regarding claim 32, Matsunoshita discloses an image processing method comprising:

an inputting step /input device (fig. 1, #2) for reading combined data including text

and/or image data in which a digital watermark is embedded and patterned image

data/pattern image storing (fig. 3, #516);

a separating step/image reading part (fig. 3, #10) for separating the combined data   .

inputted by the inputting means into the text and/or image data and the patterned image

data/image composing part (fig. 3, #522);

an extracting step/add information extracting part (fig. 3, #510) for extracting the digital

watermark from the text and/or image data obtained as a result of the separating means

separating the combined data ; and

a control step/control part (fig. 3, #32) for controlling output of the text and/or image data

obtained as a result of the separating means separating the combined data according to

the digital watermark extracted by the extracting means ([0060]-[0062]).

Regarding claim 33, Matsunoshita discloses an image processing method according to

claim 32, wherein the control step controls the output of the text and/or image data

obtained as result of the separating step separating the combined data according to

permission determination information inputted by a user and the digital watermark

extracted by the extracting step (¶[0057]-[0059]).

Regarding claim 34, Matsunoshita discloses an image processing method according to

claim 33, wherein the digital watermark includes a permission code/condition

information detecting part (fig.2, #22, #24) to control the output of the text and/or image

data obtained as a result of the separating step separating the combined data; and

wherein the control step controls the output of the text and/or image data obtained as a

result of the separating step separating the combined data according to whether the

permission code and the permission determination information match each other

(¶[0057]).

Regarding claim 35, Matsunoshita discloses an image processing method according to

claim 32, wherein the control step further comprises: a determining step/latent image

generating part (fig. 3, #512) for determining whether to output the text and/or image

data obtained as a result of the separating means separating the combined data

according to the digital watermark extracted by the extracting means; a second control

step for controlling the output of the combined data including the patterned image data

and the text and/or image data obtained as a result of the separating means separating

the combined data in the case the determining means determines to output the text

and/or image data obtained as a result of the separating means separating the

combined data (¶[0067]).

Conclusion

2.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aubrey H. Wyszynski whose telephone number is (571)272-8155. The examiner can normally be reached on Monday - Thursday, and alternate Friday's.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand can be reached on 5712723811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system.   Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AHW

KAMBIZ ZAND
SUPERVISORY PATENT EXAMINER